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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,238	03/15/2001	Hideo Ando	204442US-2S	6628

22850 7590 12/15/2005

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER
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BOCCIO, VINCENT F

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/808,238	<b>Applicant(s)</b> ANDO ET AL.	
	<b>Examiner</b> Vincent F. Boccio	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on RCE & Amendment of 11/14/05.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 23-25, 27 and 29-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25, 27 and 29-31 is/are allowed.
- 6) ☒ Claim(s) 23-24, 32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 09/662,584.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

**Response to Arguments**

1. Applicant's arguments filed 11/14/05, with respect to amended claims 24-25 and new claim 32, have been fully considered but they are not persuasive.

{A} In re page 6, applicant states, "Okada only discloses a time map table, which is different than the claimed "time relation table".

In response the examiner respectfully points out that, yes the specification discloses a time relation table, which in all its detail, the Map Table of Okada, is different, but, by way of scope and interpretation, the examiner deems that the recited time relation table, reads on a table which would suggest to have at least one time code, and another attribute, thereby reading on a time relation table, the claims are not deemed read as a time to time relation table, but, merely a table having at least one entry relating time to something else, as interpreted by the recited language used in claim 23.

The examiner points at Okada, Fig. 71, col. 80, lines 32-40, "the time codes included in the time map table ... while y1, y3, y5 and y7 show the relationship between the time codes", therefore a time relation table with at least one time in the table, therefore, the examiner deems that Okada does teach, the newly recited limitation.

**Claim Rejections - 35 USC § 103**

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 23-24, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chauvel et al. (US 6,369,855) in view of Okada et al. (US 6181,870).

Regarding claims 23-24, the examiner incorporates by reference the last action against the claims, which have been amended to further recite the limitation,

- a control unit configured to generate a time relation table in order to record information of the generated table in the medium", or to create a table associated with real time recording and storing the table to the medium

Chauvel fails to disclose the recited table.

Okada teaches at Fig. 71, col. 80, lines 32-40, "the time codes included in the *time map* table ... while y1, y3, y5 and y7 show the relationship between the time codes", used to reproduce the recorded data.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Chauvel by incorporating recording a time relation table, as taught by Okada in order to relate time to locations of the recorded data to reproduce the recorded data and provides an advantage as stated, "... mark points in the cell information and managed with information such as **address taken from the time map** in the form of a table. By doing so, this information can be presented to the use as potential selections in a screen showing the initial pre-editing state", col. 76, lines 40-45 etc....., therefore the table is useful and has advantages, as taught by Okada.

Claim 32 is met based on the combination above, wherein a first and second readers, met by one head which reads the

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recorded information, content, tables to playback from designated start position, such as a cell start position of the encoded, recorded bit stream in a reproduction operation.

***Allowable Subject Matter***

1. Claims 25, 27, 29-31 are allowed.

**Contact Fax Information**


Any response to this action should be faxed to:

(571) 273-8300, for communication as intended for entry,  
this Central Fax Number as of 7/15/05

**Contact Information**

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Tuesday & Thursday-Friday, 8:00 AM to 5:00 PM Vincent F. Boccio (571) 272-7373.

Primary Examiner, Boccio, Vincent  
12/10/05

  
VINCENT BOCCIO  
PRIMARY EXAMINER